

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daniel R. Swanson Sr.
Serial No.: 10/774,093
Filing Date: February 6, 2004
Title: System and Method of Using RFID Devices to Analyze Customer Traffic Patterns in Order to Improve a Merchant's Layout

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
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Dear Sir:

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Willie Jiles

Willie Jiles

Date: November 4, 2005

Information Disclosure Statement

Applicant respectfully requests, under 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. All other references are enclosed for the convenience of the Examiner.

REMARKS

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty days prior to the filing of this Information Disclosure Statement, and this Information Disclosure Statement is submitted before a first Office Action on the merits. Under 37 C.F.R. § 1.97(b)(3), no fee is due. Nonetheless, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.



Travis W. Thomas

Reg. No. 48,667

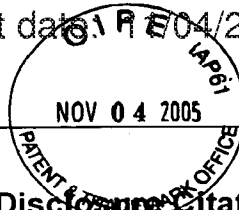
Attorneys for Applicant

Date: November 4, 2005

Correspondence Address:

Customer Number:

05073



PTO-1449		Application No. 10/774,015 15 093		Applicant(s) Daniel R. Swanson Sr.			
Information Disclosure Citation in an Application		Docket Number 073897.0151		Group Art Unit Unknown		Filing Date February 6, 2004	
		U.S. PATENT DOCUMENTS					
/SL/	A	2002/0116274	08/22/2002	Hind et al.	705	23	02/21/2001
	B						
	C						
	D						
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	J						
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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	L						
NON-PATENT DOCUMENTS							
/SL/	M	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE
	N	Notification of Transmittal of the International Search Report or the Declaration (PCT Rule 44.1) mailed October 20, 2005, regarding International Application No. PCT/US2005/003886 and Written Opinion of the International Search Authority, 13 pages					Date Mailed 10/20/2005
	O						
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	S						
	T						
EXAMINER /Seung Lee/				DATE CONSIDERED 02/01/2008			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

U.S. Patent and Trademark Office

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SL/